

12-08-04

JRW  
RCE  
2134

PTO/SB/30 (09-04)



**Request  
for  
Continued Examination (RCE)  
Transmittal**

Address to:  
**MAIL STOP: RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/493,984
Filing Date	January 28, 2000
First Named Inventor	Eisenbart, Robert S.
Art Unit	2134
Examiner Name	Michael J. Simitoski
Attorney Docket Number	018926-003220US

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
  - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii.  Other \_\_\_\_\_
- b.  **Enclosed**
  - i.  Amendment (Preliminary)
  - ii.  Affidavit(s)/ Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

2. **Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b.  Other \_\_\_\_\_

3. **Fees** **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.
  - i.  RCE fee required under 37 CFR 1.17(e)
  - ii.  Extension of time fee (37 CFR 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	December 6, 2004
Name (Print /Type)	Thomas D. Franklin	Registration No.	43,616

**CERTIFICATE OF MAILING OR TRANSMISSION**

**Express Mail Label: EV 291388340 US**

I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date December 6, 2004 and is addressed to: MAIL STOP: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature			
Name (Print /Type)	Cindy Bennett	Date	December 6, 2004

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